

SUMMARY STATEMENT

*George Q. Ricks v. State of Idaho Contractors Board, Idaho Board of Occupational Licenses,
Lawrence G. Wasden, Attorney General
Docket No. 45396*

George Q. Ricks filed an application for individual contractor registration with the Idaho Bureau of Occupational Licenses. A statute required Ricks to list his social security number on his application. He refused to provide it, citing his religious belief that his social security number constitutes the mark of the beast. Ricks' application was denied. Ricks filed a complaint claiming that 42 United States Code § 666(a)(13), Idaho Code § 73-122, and I.C. § 54-5210 violated: (1) his right to contract; (2) his right to the free exercise of his religion; (3) his right to equal protection; (4) the Privacy Act of 1974; and (5) separation of powers. Ricks also alleged that (6) I.C. § 54-5210 was unconstitutional, being void for vagueness. After the State filed several motions to dismiss, the district court dismissed Ricks' complaint in its entirety and entered judgment.

Ricks appealed the district court's judgment, restating his free exercise of religion and contract arguments. The Court of Appeals held that it is unclear whether Ricks failed to demonstrate that he had exhausted his administrative remedies. Nonetheless, the Court analyzed the merits of Ricks' arguments. Concerning Ricks' free exercise of religion claims, the Court held: (1) Ricks' claim under the Free Exercise of Religion Protected Act was preempted by 42 U.S.C. § 666(a)(13); (2) Ricks did not properly plead a claim under the Religious Freedom Restoration Act; and (3) neither the First Amendment to the United States Constitution nor Article I, Section 4 of the Idaho Constitution exempted Ricks from the statutory obligation to include his social security number on his license application. The Court also held the statutory obligation did not violate Ricks' contract rights. The Court of Appeals therefore affirmed the district court's judgment.